



U.S. Department of Housing and Urban
Development
451 Seventh Street, SW
Washington, DC 20410
www.hud.gov
espanol.hud.gov

**Tiered Environment Review
for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name: 2018-Lead-Based-Paint-Hazard-Reduction-Program

**HEROS
Number:** 900000010082258

**Responsible Entity
(RE):** OMAHA, 1819 Farnam St Omaha NE, 68183

**State / Local
Identifier:** 2019-031

RE Preparer: Nicole Engels

**Certifying
Officer:** William Lukash

**Grant Recipient (if different than Responsible
Entity):**

Point of Contact:

**Consultant (if
applicable):**

Point of Contact:

**Project
Location:** Omaha, NE

Additional Location Information:

The Lead-Based Paint Hazard Reduction Program uses the boundaries of the Omaha Lead Superfund Site's final focus area. As a general rule, these properties are located east of 42nd Street, although in some areas goes as far west as 52nd Street. The area extends to the eastern borders of Omaha along the Missouri River. The site runs from the southern edge of the City along the northern side of Harrison and as far north as

Interstate 680. A map of the area is attached.

Direct Comments

to:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The City of Omaha Planning Department - Housing and Community Development Division (HCD) will manage all lead-based paint hazard reduction activities. The Omaha lead program currently has a pool of four (4) qualified and experienced contractors. As of March, 2019, the program had a list of 110 potential applicants. The City of Omaha is requesting a Lead-Based Paint Hazard Reduction Grant in the category of a large, urban jurisdiction of high need. The grant total is \$3,106,271 which includes \$600,000 for Healthy Homes Development and Promotion. Match and leverage totaling \$550,000 consists of \$100,000 from the City of Omaha, \$50,000 in owner contributions for rental units, \$200,000 from the State of Nebraska and \$200,000 from The Sherwood Foundation private funds. The Omaha Lead Program will serve 150 eligible units, housing an estimated 190 low/moderate income children under age six. The lead hazard control methods used will be interim controls, primarily paint stabilization, with component replacement where that is most cost-effective. The Omaha Lead program is planning to partner with Omaha Healthy Kids Alliance to complete the Healthy Homes component. Healthy Home improvements will include Healthy Home assessments in the 130 units and Healthy Home interventions in 100 units addressing the most critical Healthy Homes hazards. These funds will be used for healthy homes qualitative equipment, pre and post assessments, interventions and staff training. The Douglas County Health Department will provide referrals of households with EBL children, case management for EBL children, health data management, and leadership to implement a strategic plan for elimination of lead poisoning. Metropolitan Community College offers training for lead workers. The Omaha Healthy Kids Alliance (OHKA) represents a network of community-based and health organizations that conduct public lead education and outreach. OHKA helps identify alternative funding and in-kind resources for lead hazard control. OHKA will offer healthy homes training, healthy homes assessments and interventions as well as home occupant healthy homes education. The Omaha Housing Authority will provide referrals of households with eligible children. The City of Omaha is committed to continuing its sustainability efforts with this grant award. The City of Omaha has pioneered the creation of a lead registry for public use providing outreach and education on lead safe housing options. The lead registry contains all lead hazard control work completed on units in the focus area in all previous grants as well as all lead soil remediation conducted by the USEPA at the Omaha Lead Site. The City has adopted a lead ordinance to promote lead safe housing and elimination of lead hazards for children and the Omaha lead program works closely with code enforcement on potential applicants as another referral source. The City of Omaha is a current grantee with over 75 percent of benchmarks completed for grant NELHD0278-15. The City of Omaha has previously completed Lead Hazard Control Grants No. NELHB0142-99, NELHB0301-05, NELHD0166-07, and NELHB0479-10. Program partners for this grant include: *The Douglas County Health Department (DCHD) *The Omaha Healthy Kids Alliance (OHKA) *Metropolitan Community College (MCC) *United States Environmental Protection Agency (USEPA) Region 7 *Omaha Healthy Authority (OHA) The Omaha lead program is conducted in conjunction with USEPA Region 7 soil remediation at the Omaha Lead Site, the largest residential super fund project in the country. The target area for the Lead-based Paint Hazard Reduction Grant: *Encompasses the zip code areas in the City of Omaha, Douglas County that consistently have the highest number of children with elevated blood lead levels (EBL), i.e., 68105, 68107 and 68111 *Consists of residential areas with a high percentage of pre-1940 housing and lower income populations *Corresponds closely to the EPA Omaha Lead Site.

Maps, photographs, and other documentation of project location and description:

[LHC Target Area Map.pdf](#)

Approximate size of the project area:

Length of time covered by this review: 4 Years

Maximum number of dwelling units or lots addressed by this tiered review:
200

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: 58.35(a)(3)

Determination:

	Extraordinary circumstances exist and this project may result in significant environmental impact. This project requires preparation of an Environmental Assessment (EA); OR
✓	There are no extraordinary circumstances which would require completion of an EA, and this project may remain CEST.

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant Number	HUD Program	Program Name
FR-6200-N-12	Healthy Homes and Lead Hazard Control	

Estimated Total HUD Funded Amount: \$3,106,271.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$3,656,271.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Was compliance achieved at the broad level of review?	Describe here compliance determinations made at the broad level and source documentation.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project will not involve the purchase or sale of new property. It will also not involve the construction of new residential units to increase density.
Coastal Barrier Resources Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no coastal barrier resources within the target project area or that will be impacted by the project.
Flood Insurance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5		
Air Quality	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project is not located within a non-attainment area for any of the six criteria air pollutants. Additionally, it will not include the activities of acquisition, change of land use, demolition, or new construction. It is unlikely to include major rehabilitation as the threshold for spending typically does not reach this level.
Coastal Zone Management Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no coastal zones in the target area or that will be impacted by the project.
Contamination and Toxic Substances	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Endangered Species Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project consists solely of rehabilitation of existing structures. While a major rehabilitation is unlikely, it's not impossible that this program will conduct one. The Conservation and Environmental Review Tool from the Nebraska Game and Parks and US Fish and Wildlife service was used for an informal consultation. The report determined that this project is unlikely to impact endangered species and no further consultation is required. This report is attached.

Explosive and Flammable Hazards	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project does not include any of the following activities, which trigger this requirement: new construction, rehabilitation increasing density, conversion of land from non-residential to residential, vacant building being made habitable.
Farmlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	This project does not utilize new construction, undeveloped land, or site clearance and thus does not meet the threshold for action requiring assessment of farmland protection. There will be no farmland impacted by this project. A USDA soil survey is attached.
Floodplain Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Historic Preservation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Noise Abatement and Control	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Sole Source Aquifers	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are no sole source aquifers in Nebraska.
Wetlands Protection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project activities will not include any of the following, which trigger a need for wetlands protection consideration: acquisition of undeveloped land, change of land use, new construction, or expansion of building footprint. While there may be some small areas of wetland within the project area, none of the project activities will impact wetland areas.
Wild and Scenic Rivers Act	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	There are two sections of wild and scenic river along the northern border of the state of Nebraska. This project will not impact either of these sections.
ENVIRONMENTAL JUSTICE		
Environmental Justice	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The final focus area of the Omaha Lead Superfund site is large at around 25 square miles and encompasses most of eastern Omaha. This includes the parts of Omaha that are majority-minority and most of the areas of low income. Housing stock in this part of town is older. There are several pockets of industrial sites. Given all of this, it is not surprising that environmental justice scores are relatively high. This project

		<p>will help to address environmental justice concerns within the project area by removing lead paint hazards and connecting residents who have not participated in soil remediation through the Omaha Lead Superfund Site program with resources to assure that soil lead levels are below the EPA's action level. Environmental justice does not need to be addressed in Tier II reviews.</p>
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Supporting documentation

[Nebraska Nonattainment Maintenance Status for Each County by Year for All Criteria Pollutants.pdf](#)

[NOAA Office for Coastal Management States and Territories Working on Ocean and Coastal Management.pdf](#)

[NOAA Office for Coastal Management States and Territories Working on Ocean and Coastal Management\(1\).pdf](#)

[LHC Endangered Species.pdf](#)

[EJSCREEN Report - Lead Focus Area.pdf](#)

[Custom Soil Resource Report for Douglas County, Nebraska Approximate Omaha Lead Superfund Final Focus Area.pdf](#)

[Sole Source Aquifers Region VII.pdf](#)

[Wild and Scenic Rivers \(all\).pdf](#)

[Offut Map.pdf](#)

[Millard Airport Map.pdf](#)

[Eppley Map.pdf](#)

Written Strategies

The following strategies provide the policy, standard, or process to be followed in the site-specific review for each law, authority, and factor that will require completion of a site-specific review.

1	Flood Insurance
	<p>Every selected site will be evaluated for its position relative to flood hazard zones using the FEMA FIRMet tool. If the property is in a flood zone, the project will be cancelled. Grant funds will not be used in flood hazard zones.</p>
2	Contamination and Toxic Substances

	<p>Every selected site will be evaluated for its position relative to potentially hazardous or contaminated sites. If a hazardous or contaminated site is of concern to the target property, the risk to residents and investment in the home will be considered. It is unlikely that a project would be cancelled due to a nearby hazardous site if children, particularly with elevated blood lead levels live in the home rather than visit.</p> <p>Every site will be evaluated for its participation in the Omaha Lead Superfund site (OLS) program. Because most of the projects in this program take place within the final focus area of the OLS, most properties should have already been sampled for high soil-lead levels, have been remediated if the levels were high, and undergone a paint assessment and stabilization of lead based paint, if any was found to be in poor condition. If a property within the final focus area of the OLS has not undergone sampling and remediation if required, then the project will be terminated. Applicants must participate in the OLS to receive assistance.</p> <p>All work in this program will be evaluated for its potential to impact asbestos containing material, if any is known to be present in the Tier II review.</p> <p>All properties being assisted through this program will have radon sampling completed and an abatement system installed if the radon levels are over 4 pCi/L in compliance with the 2015 Radon Mitigation for Rehabilitation Projects Policy from the Omaha Planning Department.</p>
3	Floodplain Management
	<p>Every selected site will be evaluated for it's position relative to flood hazard zones using the FEMA FIRMette tool. If the property is in a flood zone, the project will be cancelled. Grant funds will not be used in flood hazard zones.</p>
4	Historic Preservation
	<p>The City of Omaha has a programmatic agreement with the Nebraska State Historic Preservation Office (NESHPO) to allow qualified staff to conduct Section 106 Historic Review. If a property is determined to be of historical significance, appropriate renovation measures will be taken as guided by the staff who conduct historic reviews. Typically, the main adjustment that has needed to be made is the use of wood framed windows rather than metal or vinyl substrates.</p>
5	Noise Abatement and Control
	<p>This program can not cover costs explicitly for reducing noise levels at target properties and because of the nature of the program, it is unlikely that the work will trigger the requirements to abate noise. However, ever site will be evaluated for its noise levels and program participants may be referred to other programs for noise abatement needs or encouraged to take measures themselves to reduce interior noise levels. It is very unlikely that high noise levels alone will cause a project to be terminated.</p>

Supporting documentation

APPENDIX A: Site Specific Reviews

**City of Omaha Planning Department
Housing and Community Development Division**

**Tier II CEST Statutory Checklist (2019-031)
For
Lead Hazard Reduction Program Tier I CEST Statutory Checklist (2019-031)**

Project Address: _____

Project Activity: _____

Program: Lead Hazard Reduction Program

The Tier I CEST Statutory Checklist requires a Tier II Statutory Checklist the following Impact Categories:

- Contamination and Toxic Substances
- Floodplain Management
- Historic Preservation
- Noise Control
- Floodplain Insurance

The following table presents the Tier II determinations for these categories. An **A** in the Status box indicates no compliance issues are associated with this project and the project may proceed without further consultation. A **B** in the Status box indicates additional steps are required to address this issue (e.g., removal of hazardous materials).

Impact Categories	Status A or B	Source Documentation
Contamination and Toxic Substances		
Explosives and Flammable Operations		
Floodplain Management		
Historic Preservation		
Noise Control		
Flood Disaster		

Protection Act – Floodplain Insurance		
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A project-specific Tier II environmental review has been performed at the above location in compliance with HUD environmental review regulations (24 CFR Part 58) and related laws, authorities and requirements. The review has been performed prior to the commitment of HUD or non-HUD funds, as required by §58.22(a) and (c).

This review shall be retained as a component of the City’s Environmental Review Record (ERR). Consult the Tier I CEST Statutory Checklist identified above for information regarding compliance with other laws and authorities for this HUD-assisted project or program.

Prepared by: _____ Date: _____

Approved by: _____ Date: _____